

March 26, 2013 – 9:30 a.m.
FINAL

BOARD OF COUNTY COMMISSIONERS

**BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

ADDITIONS, DELETIONS, & SUBSTITUTIONS

MARCH 26, 2013

<u>PAGE</u>	<u>ITEM</u>
	NONE

NOTE: Items that were revised, added, deleted, or backup submitted and were not listed on the addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (*).

**ORDER OF BUSINESS
BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA**

MARCH 26, 2013

**TUESDAY
9:30 A.M.**

COMMISSION CHAMBERS

1. CALL TO ORDER

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance

2. AGENDA APPROVAL

- A. Additions, Deletions, Substitutions
- B. Adoption

3. REGULAR AGENDA

TIME CERTAIN 2:00 P.M. (Vehicle for Hire)

4. BOARD APPOINTMENT

WORKSHOP SESSION

5. 9:30 A.M. Palm Beach County Annual Action Plan (Economic Sustainability)

6. 10:30 A.M. Energy Conservation Initiatives (Water Utilities)

7. ADJOURNMENT

MARCH 26, 2013

3. REGULAR AGENDA

A. CLERK AND COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.
2. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide

B. ECONOMIC SUSTAINABILITY

1. **Staff recommends motion to approve:**
 - A) a Loan Agreement in the amount of \$875,000 with NOAH Development Corporation (NOAH), a Florida not-for-profit corporation, in connection with the Covenant Villas Project;
 - B) an Amended and Restated Mortgage Agreement;
 - C) the delegation of authority to the County Administrator, or his designee, to execute any other documents necessary to complete the transactions related to this funding; and
 - D) a Budget Amendment allocating \$875,000 to the Affordable Housing Trust Fund budget for Fiscal Year 2012-2013.

SUMMARY: NOAH currently owns and operates a 144 unit affordable housing project in Belle Glade known as Covenant Villas. This project was completed in 1989 for \$5.4 Million. Of this amount, \$2.7 Million was provided by the County of which \$1.35 Million was in the form of a loan and \$1.35 Million was in the form of a grant. The source of the County funds were from the County's General Fund. Due to significant economic challenges in the Glades region, the project is in disrepair and has an occupancy rate of 50%. Repairs are currently estimated at \$867,000. Despite this, an appraisal obtained by NOAH in December 2012, describes the project as "the best quality multifamily project in Belle Glade" and established its fair market value at \$3.3 million. Due to the low occupancy rate, NOAH is currently in default of their first mortgage and is facing foreclosure. In order to prevent the loss of this affordable housing project to foreclosure, including the loss of the County's investment, and prevent the property from additional decline, staff is recommending to provide NOAH \$875,000, which will be used to partially pay off the existing first mortgage. In return, the County will be in a first mortgage position and the existing first mortgage will be converted into a second mortgage that secures approximately \$300,000. In total, the County's investment will be secured by three mortgages totaling \$3,020,500. Staff is recommending a three year deferment in principal payments to allow NOAH to make the necessary repairs to increase the occupancy rate. The source of funds will be from funds received by the County from the recent acquisition of NOAH's South Bay Villas project by the Palm Beach County Housing Authority. The County received \$875,000 at that closing due to a mortgage held on that property by the County. (DES Contract Development) District 6 (TKF)

MARCH 26, 2013

3. REGULAR AGENDA

C. PUBLIC SAFETY

TIME CERTAIN 2:00 P.M.

1. Staff recommends motion to approve on preliminary reading and advertise for public hearing on April 16, 2013, at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 19, Article IX (Ordinance No. 2008-43, amended by Ordinance No. 2011-007, amended by Ordinance No. 2011-032, amended by Ordinance No. 2011-040, amended by Ordinance No. 2012-009, and amended by Ordinance No. 2013-003); relating to taxicabs and other vehicles for hire, to be known as the Vehicle for Hire Ordinance; amending Section 19-213 (definitions); amending Section 19-214 (compliance with article required); amending Section 19-218 (business permit application); amending Section 19-220 (vehicle requirements); amending Section 19-221 (vehicle decal requirements); amending Section 19-226 (commercial automobile liability insurance); amending Section 19-227 (driver requirements; failure to comply); amending Section 19-235 (start-up), providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing an effective date. **SUMMARY:** The proposed Ordinance amendments require the Vehicle for Hire Industry to enhance and expand the quality and kinds of services currently offered to Palm Beach County residents and visitors - some new requirements taking effect on June 1, 2013, and others within the next two to five years. Staff discussed all of the proposed amendments with the industry at the last VFH advisory committee meeting and all of the revisions received a unanimous or a majority approval vote. Countywide (PGE)

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MARCH 26, 2013

4. BOARD APPOINTMENT

A. ADMINISTRATION
(Commission on Ethics Ordinance Drafting Committee)

1. Staff recommends motion to appoint: one of the following individuals to the Commission on Ethics (COE) Ordinance Drafting Committee:

Nominees

Alan Johnson

APPOINT ONE

Dennis Lipp

SUMMARY: On February 5, 2013, the Board of County Commissioners (BCC) approved reconvening the COE Ordinance Drafting Committee to recommend possible modifications to the Ordinance, specifically as it relates to the composition of the COE and term limits. This Committee will consist of two appointees from the BCC, two appointees from the League of Cities, an attorney representing each entity, and the Executive Director of the COE. At their March 12, 2013 Meeting, the BCC was scheduled to select the two BCC representatives, but was only able to reach a consensus for one nominee (David Baker). With the absence of one Commissioner, there was a tie vote between the above two nominees. Today's action would select the second representative. Countywide (LB)

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